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14 CONCRETE DEMO WORKS INC. AND
EDSON FERNANDO FLORES

15 UNITED STATES DISTRICT COURT
16 FOR NORTHERN DISTRICT OF CALIFORNIA

17
18 LUIS ALDAMA ESPINOZA,

19 Plaintiff,

20
21 v.

22 CONCRETE DEMO WORKS INC. and
23 EDSON FERNANDO FLORES,

24 Defendants

Case No.: 5:15-cv-01850-NC

**SECOND STIPULATION AND ORDER TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

1 WHEREAS, Plaintiff, LUIS ALDAMA ESPINOZA, filed a Complaint in the above-
2 captioned case against Defendants, CONCRETE DEMO WORKS INC. and EDSON
3 FERNANDO FLORES (herein collectively “Defendants”) on April 24, 2015 [Dkt. No. 1];

4 WHEREAS, Defendant CONCRETE DEMO WORKS INC. was served on June 5, 2015
5 [Dkt. No. 9];

6 WHEREAS, on October 12, 2015, both defendants filed an Answer and a Consent to
7 Magistrate Judge Jurisdiction (Dkt. Nos. 17, 21);

8 WHEREAS, on October 12, 2015, pursuant to the parties’ written Stipulation, the Court
9 extended by two weeks the then pending deadlines in this case, including the Case Management
10 Conference (Dkt. No. 20);

11 WHEREAS, on October 14, 2015, Defendants’ counsel, John DiNapoli learned that his
12 primary contact with defendant CONCRETE DEMO WORKS, INC., would be out of the office
13 and on vacation until Thursday, October 22, 2015, rather than Friday, October 16, 2015, which
14 meant that she would not return until after the events then due on October 20, 2015, and shortly
15 before the events due on October 27, 2015;

16 WHEREAS the parties would like a second short continuance of 7 days for the events
17 now due on October 20 and 27, 2015, and a continuance of the Case Management Conference to
18 the next date available on the Court’s calendar. These extensions of time will enable the parties’
19 counsel to finish meeting and conferring, confer about ADR elections and to be better prepared
20 to exchange Initial Disclosures and participate in the Initial Case Management Conference on a
21 date to be specified by the Court.

22 THEREFORE, IT IS STIPULATED, by and between Plaintiff and Defendants, the initial
23 deadlines may be modified as follows:

24 (1) October 27, 2015 shall be the last day to:

- 25
- 26 • meet and confer re: initial disclosures, early settlement, ADR process selection, and
 - 27 discovery plans;
 - 28 • file ADR Certification signed by Parties and Counsel

- file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

(2) November 3, 2015 shall be the last day to:

- File Rule 26(f) Report,
- complete initial disclosures or state objection in Rule 26(f) Report and
- file Case Management Statement per Standing Order re Contents of Joint Case Management Statement

(3) The Initial Case Management Conference will be set for November 18, 2015 in Courtroom 7, 4th Floor, San Jose, at 10:00 AM, or such other date as specified by the Court.

Dated: October 15, 2015

By: _____/s/ Tomas Margain_____
Tomas E. Margain

Dated: October 15, 2015

By: _____/s/ _____
John DiNapoli

~~[PROPOSED]~~ **ORDER GRANTING MOTION TO CONTINUE AND EXTENSION OF
TIME TO RESPOND**

Based on good cause the Court hereby modifies and continues the initial Deadlines as follows:

(1) October 27, 2015 shall be the last day to:

- meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plans;
- file ADR Certification signed by Parties and Counsel
- file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

(2) November 3, 2015 shall be the last day to:

- File Rule 26(f) Report,
- complete initial disclosures or state objection in Rule 26(f) Report and
- file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement

1 (3) The Initial Case Management Conference will be set for November 18, 2015 in
2 Courtroom 7, 4th Floor, SJ at 10:00 AM.

3
4 **IT IS SO ORDERED.**

5 Dated: October 16, 2015

